

2014 No. 2514

ROAD TRAFFIC

The M40 Motorway (Junctions 6 to 9) (Temporary Prohibition of Traffic) Order 2014

Made - - - - *15th September 2014*

Coming into force - - *22nd September 2014*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M40 Motorway (“the M40”) and connecting roads, is satisfied that traffic on several lengths of that motorway and on twelve of those connecting roads, in the District of Wycombe in the County of Buckinghamshire and the Districts of South Oxfordshire and Cherwell in the County of Oxfordshire, should be prohibited because works are proposed to be executed thereon; and whereas the Secretary of State for Transport in accordance with section 14(3) of the Road Traffic Regulation Act 1984(a) has had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14(1)(a) and (7) of the Road Traffic Regulation Act 1984(a) and regulation 16(2) of the Motorway Traffic (England and Wales) Regulations 1982(b), hereby makes the following Order:-

1. This Order may be cited as the M40 Motorway (Junctions 6 to 9) (Temporary Prohibition of Traffic) Order 2014 and shall come into force on 22nd September 2014 and remain in force until 23rd December 2014.

2. In this Order:

“the tip of the nosing” means, as indicated by the markings on the carriageway, the first point where an entry slip road joins, or the last point where an exit slip road leaves, the carriageway of the M40;

“the northbound Oxford Spur” means the northbound Oxford Spur Motorway, at Junction 8 of the M40, from its diverge point from the northbound carriageway of the M40 to its merge point with the entry slip road to the westbound carriageway of the A40 Trunk Road, including the A40 Trunk Road exit slip road to the A418;

“the southbound Oxford Spur” means the southbound Oxford Spur Motorway, at Junction 8 of the M40, from its diverge point with the exit slip road from the A418 to the eastbound carriageway of the A40 Trunk Road, to its merge point with the southbound carriageway of the M40, including the entry slip road from the A418;

“the first length of motorway” means the M40 –

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.
(b) 1982/1163, as amended by S. I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/1163.

- (a) northbound carriageway between the tips of the nosings of the entry slip roads at Junction 6 and Junction 8a;
- (b) southbound carriageway between the tips of the nosings of the exit slip roads at Junction 8a and Junction 6, and
- (c) southbound carriageway between the tips of the nosings of the exit slip road and the entry slip road at Junction 9;

“the second length of motorway” means the M40 northbound carriageway and southbound carriageway from a point 100 metres north of the Salt Lane underbridge, Postcombe to a point 200 metres north of the A40 overbridge at Junction 8;

“a slip road” means the –

- (a) exit slip road from the northbound carriageway of the M40 at Junction 7,
- (b) entry slip road to the southbound carriageway of the M40 at Junction 7,
- (c) exit slip road from, and the entry slip road to, the northbound carriageway of the M40 at Junction 8A,
- (d) exit slip road from, and the entry slip road to, the southbound carriageway of the M40 at Junction 8A,
- (e) exit slip road from, and the entry slip road to, the northbound carriageway of the M40 at Junction 9, and
- (f) exit slip road from, and the entry slip road to, the southbound carriageway of the M40 at Junction 9;

“works” mean carriageway patching, routine maintenance works and inspection of assets on both the main carriageway and connecting roads of the M40;

“a works period” means periods overnight between 22:00 hours and 06:00 hours (continuing to 07.00 hours on Saturday and Sunday mornings), during a period starting on Monday 29th September 2014 and ending on Tuesday 23rd December 2014 when the works have been completed;

and-

- (a) a reference to a bridge is a reference to the centre point of that bridge, and
- (b) a reference to an article followed by a number is a reference to the article in this Order which bears that number.

3. Subject as mentioned in article 4 of this Order no person shall cause or permit any motor vehicle to enter or proceed in the first length of motorway, the northbound Oxford Spur, the southbound Oxford Spur or a slip road during a works period.

4. The provisions of article 3 shall not apply to a vehicle –

- (a) being used in connection with the works or for winter maintenance or traffic officer purposes,
- (b) being used for police, fire and rescue authority or ambulance purposes, or
- (c) proceeding at the direction, or with the permission, of a constable, or a traffic officer in uniform.

5. The provisions of article 3 shall apply only during such times and to such extent as shall, from time to time, be indicated by traffic signs.

6. The provisions of Regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Motorways Traffic (England and Wales) Regulation 1982(a) are hereby suspended in relation to the hard shoulder adjacent to the second length of motorway at such times and to such extent as may be indicated by traffic signs; and in this article “hard shoulder” has the meaning given in regulation 3(1)(e) of those Regulations.

(a) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158 and 2004/3258.

Signed by authority of the Secretary of State for Transport

Woodlands, Manton Lane, Bedford, MK41 7LW
15th September 2014

A Nugent
A Team Leader in the Highways Agency